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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/006,212 | 12/10/2001 | Jui Long Ou | OUJU3001/EM/7269 | 9017 |
| 23364 | 7590 | 01/26/2005 | EXAMINER | |
| BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314 | | | SAMS, MATTHEW C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2643 | |

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-----------------|--------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/006,212 | OU ET AL. | |
| | Examiner | Art Unit | |
| | Matthew C. Sams | 2643 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/10/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 102

- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
2. Claims 1-3, 8 and 10 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Knippelmier (US-5,425,076).

Regarding claim 1, Knippelmier teaches a device for detecting the signal in a wireless local area network comprising a portable entity with the ability to determine the signal strength of the wireless signal (Fig. 4 [40]), a wireless transceiver located in the portable device (Fig. 4 [50]), a controller for processing the wireless signal and determining the strength (Fig. 4 [44]), and a controllable panel for displaying messages according to the strength. (Col. 5 line 68 through Col. 6 line 9, Col. 8 lines 49-55)

Regarding claim 2, Knippelmier teaches a device in a wireless local area network having several hosts. (Fig. 3 [16])

Regarding claim 3, Knippelmier teaches a host that is an access point. (Fig. 1 [6] and Figs. 2 & 3 [16])

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Regarding claim 8, Knippelmier teaches a controller that is a microprocessor.

(Col. 6 lines 2-4)

Regarding claim 10, Knippelmier teaches the use of any conventional cellular phone can be used in the test set for receiving messages. (Col. 5 line 68 through Col. 6 line 9) It is obvious to one skilled in the art that a conventional cellular phone would have various modes of message notification such as a silent mode (vibration and/or lights), varying volumes for a sound tone and any combination of the previously mentioned notifications.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-7 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knippelmier and Delamater (US-5,903,548).

Regarding claim 4, Knippelmier teaches a device for detecting a signal in a wireless local area network. Knippelmier differs from the claimed invention by not mentioning the device is the palm type. However, Delamater teaches a portable electronic communications device that includes a palm type device with a touch screen that detects the received signal strength of a wireless local area network. (Col. 1 lines 13-17 and Col. 9 lines 57-67) At the time the invention was made, it would have been

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obvious to one of ordinary skill in the art to incorporate the palm type device with a touch screen of Delamater into the device for detected a signal in a wireless local area network. One of ordinary skill in the art would have been motivated to do this since a palm type device typically has a large display capable of showing multiple results simultaneously.

Regarding claim 5, Delamater teaches a point that is a room. (Col. 3 lines 62-67)

Regarding claim 6, Delamater teaches a point that is an office. (Col. 3 lines 62-67)

Regarding claim 7, Delamater teaches a cellular radio modem capable of operating in both transmit and receive mode. (Col. 3 lines 48-61)

Regarding claim 9, Delamater teaches a controllable panel that is a touch-controllable panel. (Col. 1 lines 13-17)

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US-6,484,027 to Mauney et al. regarding an enhanced wireless handset.

US-6,243,581 to Jawanda regarding a method and system of seamless roaming between wireless networks.

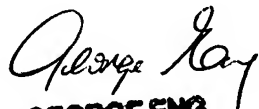
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew C. Sams whose telephone number is (703)305-0810. The examiner can normally be reached on M-F 7:30-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (703)305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MCS
1/21/2005


GEORGE ENG
PRIMARY EXAMINER